

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:16 cv 390**

TOMMY WILLIAM LINEBERGER,)
and MARCELLA WILSON)
LINEBERGER,)
)
Plaintiffs,)
)
v.)
)
CBS CORPORATION, et al.,)
)
Defendants.)
_____)

ORDER

Pending before the Court is the Motion to Stay [# 149]. While labeled a “Consent Motion to Stay Proceedings,” Plaintiffs’ counsel has not shown that consultation with defendants has occurred. See LCvR 7.1(b). Further, Plaintiffs’ counsel has not filed a brief as required by LCvR 7.1(c).

Therefore, the Court **DISMISSES** the motion without prejudice [# 149]. Plaintiffs’ counsel is **DIRECTED** to refile the motion—stating if the parties have conferred and stating opposing counsel’s position(s). Contemporaneously and separately from the motion, Plaintiffs’ counsel must file a brief.

Signed: January 3, 2018



Dennis L. Howell
United States Magistrate Judge

